IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7104 of 1990

For Approval and Signature:

Hon'ble MR.JUSTICE Y.B.BHATT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KHET UTPADAN MAL RUPANTAR SAHAKARI MANDLI LTD

Versus

ADDITIONAL REGISTRAR

Appearance:

NOTICE SERVED for Petitioner

MR JD AJMERA for Respondent No. 1

RULE SERVED for Respondent No. 2, 3, 4

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 17/04/2001

ORAL JUDGEMENT

This petition was originally filed by learned advocate Shri Shirish Joshi. However, as recorded in the order dated 29th August 2000, the petitioner society has thereafter gone into liquidation, and learned counsel would therefore not be able to represent the society. Consequently the aforesaid order directed the Registry to issue a notice on the petitioner either to appear in

person or to engage another advocate. It appears that consequently the Registry had issued notice to the petitioner, which however returned unserved. The Court therefore, by a further order dated 13th March 2001, directed issuance of fresh notice to the petitioner to be served firstly at the address of the petitioner and also through the Bhavnagar District Cooperative Bank, which is appointed as the Liquidator of the petitioner-society. Consequently the records of the Registry show that the petitioner was served both at the address of the society as also served upon the Liquidator of the society. Inspite of this dual service no appearance has been filed on behalf of the petitioner.

2. It therefore appears that the petitioner is no longer interested in pursuing the present petition. This petition is accordingly dismissed for want of prosecution. Rule discharged with no orders as to costs. Interim relief stands vacated.

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(rmr).